

REMARKS

STATUS OF CLAIMS:

Claims 1-12 are pending in the application. Claims 1-4 and 6-8 are rejected. Claims 9-12 are newly added via this amendment.

35 U.S.C. § 102(e):

Claims 1, 3, 4 and 6-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Sasai et al. (US Publication 2002/0067940).

An exemplary aspect of claim 1 is to provide a stable area detection device for detecting a stable area of a platen gap formed between a recording head and an upper surface of a platen. To further define the invention, claim 1 is amended to recite that the detection object is detected by the sensor. Sasai does not disclose at least this feature. In contradiction, the sensors 422 and 722 of Sasai do not detect any object on a rotational member that corresponds to stable areas of the platen gap.

In particular, the platen P of Sasai is shown in Figure 52 with a gap “ha” between the platen P and the recording head, and is adjusted as described in paragraphs [435]-[437]. The sensor 422 of Sasai is discussed in paragraphs [356]-[361] and is an optical sensor comprised of a light emitting diode and a photo diode. The optical sensor 422 is provided at the upper space of the roller 452, and between the roller 472b and the roller 472C to detect the presence of paper in a feed path (see Figure 24 of Sasai). The sensor 722 is shown in Figure 35 and is also used to detect the presence of paper. The sensor includes a light emitting diode 723 and a photo diode

724, such that light generated from the light emitted diode 723 is irradiated on a recording paper 745 to be reflected and sensed by the photo diode 724. (See paragraph 0012).

As shown in Figs. 24, 25 and 35-39, for example and described in the paragraph [0012]-[0016] and [00356]-[00361], the optical sensor 422 (or optical sensor 722) is provided with a light emitting diode and a photo diode, so that the optical sensor emits light and detects reflected light at a paper surface to detect the paper. The light of Sasai is directly reflected on the paper surface.

On the other hand, in the claimed invention, there is provided a detection object on a rotational member, such that the detection object is detected by the sensor. Therefore, the platen gap is determined by the detection result by the sensor. (i.e. The detection object is detected or is not detected.) Neither of the sensors 422, 722 in Sasai provides a “stable area detection” sensor of a *platen gap*. The claimed detection object is provided to correspond with the stable areas of the platen gap. The object that is detected by the sensors 422 and 722 in Sasai is paper, and not an area that corresponds to platen gap stages.

Applicants therefore submit that claim 1 is not anticipated by Sasai, such that the rejection thereof under 35 U.S.C. § 102(e) should be withdrawn. The rejection of claims 3, 4 and 6-8 should likewise be withdrawn at least due to these claims respectively depending from claim 1.

35 USC § 103:

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sasai in view of Kanada (US Publication 2002/0039207).

AMENDMENT UNDER 37 C.F.R. § 1.111
Appln. No.: 10/816,196

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Kanada is applied for teaching an imaging apparatus with a shielding plate. Applicants respectfully submit that Kanada does not supplement the deficient teachings of Sasai in regard to claim 1. Claim 2 is therefore be patentable over the references at least due to its dependency on claim 1.

NEW CLAIMS:

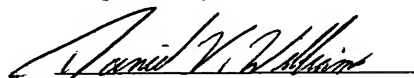
Applicants add new claims 9-12 to obtain more varied protection for the invention. Claims 9-12 are deemed patentable over the art due to their novel and unobvious features.

CONCLUSION:

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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